

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES, LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff  
Investment Securities, LLC,

Plaintiff,

v.

RICHARD A. MILLER TRUST DATED  
5/3/2000; and RICHARD A. MILLER,  
individually and in his capacity as Trustee  
of the Richard A. Miller Trust dated  
5/3/2000; and GAYLA E. MILLER,  
individually and in her capacity as Trustee  
of the Richard A. Miller Trust dated  
5/3/2000,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04664 (SMB)

**STIPULATION TO AMENDMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between Irving H. Picard (the  
“Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment

Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq., and the substantively consolidated estate of Bernard L. Madoff on the one hand, and the Richard A. Miller Trust Dated 5/3/2000, Richard A. Miller, and Gayla E. Miller (collectively, “Defendants”) on the other hand, in each case by and through their respective attorneys, as follows:

1. On December 1, 2010, the above-captioned adversary proceeding was commenced by the Trustee against the Defendants.

2. On August 1, 2011, the Defendants timely served and filed their Answer to the Trustee’s Complaint in this matter.

3. Following the completion of certain portions of fact discovery, and pursuant to Federal Rule of Civil Procedure 15(a)(2) and Federal Rule of Bankruptcy Procedure 7015, Defendants have requested the Trustee’s consent to an amendment of Defendants’ Answer, which consent the Trustee has provided. This Stipulation confirms the Trustee’s consent in this regard.

4. Furthermore, and also pursuant to Federal Rule of Civil Procedure 15(a)(2) and Federal Rule of Bankruptcy Procedure 7015, the Trustee has requested Defendants’ consent to an amendment of the Trustee’s Complaint if the Trustee should determine that such amendment is necessary following the conduct of additional fact discovery, and Defendants have also provided that consent. This Stipulation confirms Defendants’ consent in this regard.

5. As a product of the parties’ stipulated consent to amendment, Defendants shall have until Wednesday, November 26, 2014 to serve and file their Amended Answer in this action.

Dated: November 21, 2014

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SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L.  
Madoff*

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Richard A. Miller Trust Dated  
5/3/2000, Richard A. Miller,  
and Gayla E. Miller*